

REMARKS

In the Office Action dated September 13, 2004, claims 1, 8, 16, 25, and 26 were rejected under 35 U.S.C § 112, second paragraph, as being indefinite. Claims 1, 8, 16, 25, and 26 have been amended to more distinctly claim the invention. Specifically, "call" was changed to "first call" as suggested by the Examiner. As a result of this amendment, claims 5-7, 12-15, and 17-18 have been amended for antecedent basis purposes. No new matter was added. Accordingly, Applicant respectfully requests withdrawal of the rejections under 35 U.S.C. § 112, second paragraph.

Additionally, claims 1-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,596,625 ("LeBlanc") in view of U.S. Patent No. 6,233,445 ("Boltz"). Applicant respectfully traverses the claim rejections and requests reconsideration.

In claim 1, Applicant recites a method for managing call traffic. The method includes receiving a request to connect a first call from an originating station to a destination. The method further includes making a determination that at least a threshold number of calls to the destination have originated from an area where the originating station is located. The first call is routed to a service platform for alternative treatment in response to the determination. As a result, heavy call loads to emergency call centers may be more effectively managed. (See, e.g., Applicant's Specification, page 5, lines 4-10.)

The Office Action states that LeBlanc does not explicitly teach making a determination that at least a threshold number of calls to the destination have originated from an area where the originating station is located. (See, Office Action, page 3.) Then the Office Action concludes

that it would be obvious to combine LeBlanc with Boltz, which teaches that a threshold value may be taken into account in treating emergency calls. (See, Office Action, page 3.) The combination of LeBlanc and Boltz must show or suggest each and every element of Applicant's claimed invention. However, Applicant believes that the combination of LeBlanc and Boltz fails to show or suggest each and every element of Applicant's claimed invention.

LeBlanc describes a method for routing emergency calls during busy interface channel conditions. (See, e.g., LeBlanc, Title.) When all interface channels of the corresponding base stations of an emergency mobile user are busy, the method begins by determining the location of the emergency mobile user. (See, e.g., LeBlanc, Abstract.) In addition, the method includes identifying all other mobile units communicating with the corresponding base stations. (See, e.g., LeBlanc, Abstract.) The method further includes determining whether any neighboring base stations can support additional mobile units. (See, e.g., LeBlanc, Abstract.) If any neighboring base stations can support additional mobile units, one or more of the non-emergency mobile users are transferred to these neighboring base stations, freeing up the base stations corresponding with the emergency mobile user. (See, e.g., LeBlanc, column 19, lines 37-44.) "In this manner, mobile units are transferred from one base station to another so as to open up a voice channel for the emergency caller at its closest base station." (See, e.g., LeBlanc, column 19, lines 47-50.)

As described above, LeBlanc does not show or suggest making a determination that at least a threshold number of calls to the destination have originated from an area where the originating station is located. LeBlanc also does not show or suggest routing the first call to a service platform for alternative treatment in response to making the determination. In contrast to

the claimed invention, the first call is not routed to a service platform, but is connected to the closest base station after non-emergency calls are routed to other base stations. Boltz fails to overcome the deficiencies in LeBlanc as Boltz also does not show or suggest routing the first call to a service platform for alternative treatment.

Boltz describes establishing emergency calls within a mobile telecommunications network. (See, e.g., Boltz, Title.) When a request for emergency service is received by a mobile switching center (MSC), a determination is made as to the current location of the mobile station requesting the emergency call connection. (See, e.g., Boltz, column 1, lines 49-53.) If a threshold number of emergency call connections have been received from the same area as the mobile station, the mobile station receives an announcement message from the MSC or the call destination (i.e., the Public Safety Answering Point (PSAP)) indicating that the emergency has been reported. (See, e.g., Boltz, column 2, lines 7-11; column 4, lines 39-55.) The mobile station may then terminate the emergency call connection or remain on-line to be connected to the call destination. (See, e.g., Boltz, column 1, lines 59-62.)

In contrast to the claimed invention, Boltz teaches that either the MSC or the PSAP generates an announcement. Because mobile station receives the announcement from the MSC or the PSAP, it is unnecessary to route the first call to a service platform for alternative treatment. Such routing would be redundant. Accordingly, Boltz, like LeBlanc, does not show or suggest routing the first call to a service platform for alternative treatment.

Because neither LeBlanc nor Boltz show or suggest routing the first call to a service platform for alternative treatment, Applicant submits claim 1 is not obvious in light of the combination of LeBlanc and Boltz. Independent claims 8, 16, 25, and 26 also include the

element of routing the first call to a secondary location as described with respect to claim 1.

Accordingly, Applicant also submits that claims 8, 16, 25, and 26 are not obvious in light of the combination of LeBlanc and Boltz for at least the reasons set forth above.

Claims 2-7 depend from claim 1. Claims 9-15 depend from claim 8. Claims 17-24 depend from claim 16. Accordingly, Applicant also submits that claims 2-7, 9-15 and 17-24 are not obvious in light of the combination of LeBlanc and Boltz for at least the reasons set forth above.

In light of the above, Applicant respectfully requests withdrawal of the rejections under 35 U.S.C. § 103(a).

CONCLUSION

In light of the above amendments and remarks, Applicant submits that the present application is in condition for allowance and respectfully request notice to this effect. The Examiner is requested to contact Applicant's representative below if any questions arise or she may be of assistance to the Examiner.

Respectfully submitted,

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